

JOSEPH P. RUSSONIELLO (CSBN 44332)
United States Attorney

BRIAN J. STRETCH (CSBN 163973)
Chief, Criminal Division

SUSAN B. GRAY (CSBN 100374)
Assistant United States Attorney

450 Golden Gate Ave., Box 36055
San Francisco, CA 94102
Telephone: (415) 436-7324
Facsimile: (415) 436-7234
Email: susan.b.gray@usdoj.gov

Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

UNITED STATES OF AMERICA)

Plaintiff,)

v.)

1. REAL PROPERTY AND IMPROVEMENTS)
IDENTIFIED BY MENDOCINO COUNTY)
APN 051-290-04, 051-300-02, 051-310-01, 051-)
320-01,)

2. REAL PROPERTY AND)
IMPROVEMENTS IDENTIFIED BY)
MENDOCINO COUNTY APN 051-180-08,)
051-190-05, 052-010-01, 052-010-02, 052-)
010-03, 052-010-09, 052-010-14, 052-010-)
15, 052-010-16, 052-010-17; REAL)
PROPERTY AND IMPROVEMENTS)
IDENTIFIED BY HUMBOLDT COUNTY)
APN 222-024-003, 222-025-003;)

3. REAL PROPERTY AND)
IMPROVEMENTS IDENTIFIED BY)
MENDOCINO COUNTY APN 051-180-09,)
051-180-10.)

Defendants.)

Paul Sayers, Graeson Prescott, Diana Mendes)
and Barnum Timber Company)

Claimants.)

No. C 08-3093 WHA

**STIPULATION AND ORDER
DISMISSING DEFENDANT REAL
PROPERTY AND IMPROVEMENTS
IDENTIFIED BY MENDOCINO
COUNTY APN 051-290-04, 051-300-02,
051-310-01, 051-320-01**

1 The United States of America is plaintiff. Defendant is Real Property and Improvements
 2 identified by Mendocino County APN 051-290-04, 051-300-02, 051-310-01, 051-320-01
 3 (hereafter "defendant property"). The owner of record, Robert Juan, has never filed a claim as to
 4 the defendant property. The lien holder, Barnum Timber Company, filed a claim and an answer
 5 as to the defendant property.

6 This stipulation of dismissal pertains only to defendant Real Property and Improvements
 7 identified by Mendocino County APN 051-290-04, 051-300-02, 051-310-01, 051-320-01.
 8 Counsel for the United States and counsel for Barnum Timber Company, Stephen F. Johnson,
 9 agree, subject to the Court's approval, that this action be and hereby is dismissed as against
 10 defendant property pursuant to Rule 41(a)(2), Federal Rules of Civil Procedure, with each party
 11 to bear its own attorneys' fees and costs.

12 IT IS SO STIPULATED:

13 Dated: July 23, 2009

/S/
 STEPHEN F. JOHNSON
 Attorney for claimant Barnum Timber Company

JOSEPH P. RUSSONIELLO
 United States Attorney

18 Dated: July 23, 2009

/S/
 SUSAN B. GRAY
 Assistant United States Attorney

20 Upon consideration of the foregoing, it is by the Court on this 24th day of July, 2009,
 21 ordered that the case against defendant Real Property and Improvements identified by Mendocino
 22 County APN 051-290-04, 051-300-02, 051-310-01, 051-320-01, is dismissed pursuant to Rule
 23 41(a)(2), Federal Rules of Civil Procedure, with each party to bear its own attorneys' fees and
 24 costs.

25 IT IS SO ORDERED.

27 DATED: July 24, 2009, 2009

